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U.S. DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK
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MICHAEL A. CARDOZO
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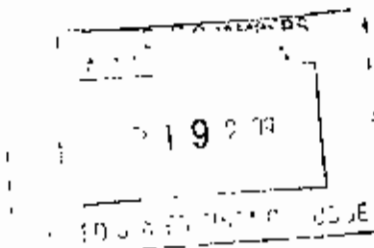
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March 18, 2008

BY REGULAR MAIL

Honorable Naomi R. Buchwald
United States District Judge
United States District Court
Southern District of New York
500 Pearl St., Room 2270
New York, NY 10007



Re: Samuel Alexander v. Bellevue Hospital Center (HHC)
Docket No.: 07 Civ. 6321 (NRB) (DCF)

Dear Judge Buchwald:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel for the City of New York, attorney for the defendant Bellevue Hospital Center (HHC) in the above captioned matter. I write today to respectfully request that this Court grant defendant leave to renew its motion to dismiss with respect to plaintiff's recently filed amended complaint.

On February 4, 2008, defendant moved to dismiss this action. Plaintiff *pro se* served his opposition papers on or about February 26, 2008, and also filed an amended complaint. Plaintiff *pro se*'s opposition to the defendant's motion to dismiss is premised upon plaintiff *pro se*'s assertion that his filing of an amended complaint on or about February 26, 2008 renders the defendant's motion "invalid." Plaintiff is correct that, as a technical matter, the motion to dismiss served on February 4, 2008 is now moot because the motion seeks to dismiss a complaint that has now been superseded by an amended complaint. However, the legal arguments set forth in defendant's February 4, 2008 motion apply to the allegations contained in the amended complaint recently filed by plaintiff. Indeed, the amended complaint contains virtually identical allegations to the allegations contained in the complaint but also includes approximately thirty (30) additional pages of allegations. Much like the allegations in plaintiff's original complaint, the allegations in the amended complaint are fantastic and delusional, fail to comply with Rule 8 of the Federal Rules of Civil Procedure, fail to state a cause of action for

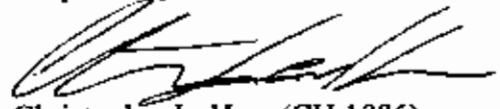
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which relief can be granted, are frivolous within the meaning of 28 U.S.C. § 1915, and are time barred as having occurred more than 300 days prior to his filing of his charge of discrimination.

Because the amended complaint suffers from the same flaws and deficiencies outlined in defendant's February 4, 2008 motion to dismiss plaintiff's original complaint, defendant respectfully requests leave to renew its motion to dismiss in response to the amended complaint.

Thank you for your consideration of this request.

Respectfully submitted,



Christopher L. Heer (CH 1086)
Assistant Corporation Counsel

cc: **By Regular Mail**
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